SBCivil Writ Petition No.1965/2006

Babulal Jat
Vs.
State of Rajasthan & Ors.

Date of Order :: 15th September, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. K.L.Chouhan, for the petitioner.

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The President, Jalgrahan Vikas Committee, Kahira-B, Panchayat Samiti, Nokha under an order dated 1.2.2003 appointed the petitioner as its Secretary for a period of five years at a consolidated salary of Rs.2500/-. The Vikas Adhikari, Panchayat Samiti, Nokha by an order dated 24.9.2004 instructed the Gram Sewak, Gram Panchayat, Kahira to take over the work of Secretary of Jalgrahan Vikas Committee, Kahira-B for effective working of water shed project. Being aggrieved by the order dated 24.9.2004 this petition for writ is preferred on 10.5.2005.

The allegation of the petitioner while giving challenge to the order dated 24.9.2004 is that the same has been passed without adhering principles of natural justice.

On asking, counsel for the petitioner failed to point out any statutory right of the petitioner to hold the post of Secretary. As a matter of fact

appointment was given to the petitioner at a consolidated salary by Jalgrahan Vikas Committee that itself is not a statutory body. The petitioner was working in water shed project and the Panchayat Samiti resolved to give the work of Secretary of Jalgrahan Vikas Committee to its Gram Sewak for optimum use of the project. Such an order does not require any interference of this Court in its extra ordinary jurisdiction. It is further relevant to note that this petition for suffers from an unexplained delay of about nine months. On this count too the petition for writ deserves dismissal.

Accordingly, the writ petition is dismissed with no order to cost.

(GOVIND MATHUR).J.

kkm/ps.